

**IN THE UNITED STATES DISTRICT COURT FOR**  
**THE EASTERN DISTRICT OF TENNESSEE**  
**AT KNOXVILLE**

ERIE INSURANCE COMPANY, )  
vs. )  
Plaintiff/Counter-Defendant, )  
vs. ) No.: 3:19-cv-00375-TRM-HBG  
CLAIRE RAUSER AND CAROL )  
RAUSER, )  
Defendant/Counter-Plaintiffs, )  
AND )  
CLAIRE RAUSER AND CAROL )  
RAUSER, )  
Third-Party Plaintiffs, )  
vs. )  
HITSON INSURANCE, INC., BRYAN )  
INSURANCE GROUP, MATTHEW )  
BRYAN, AND MICHELE SELF, )  
Third-Party Defendants. )

**MOTION ON BEHALF OF ERIE INSURANCE COMPANY**  
**TO BIFURCATE TRIAL PURSUANT TO *HODGES V. S.C. TOOF & CO.***

COMES the plaintiff / counter-defendant, Erie Insurance Company (hereinafter “Erie”), and without waiving its Motion for Summary Judgment [Doc. 100], and while denying that any conduct on the part of Erie could be considered deserving of or supporting an award of punitive damages, it hereby requests, pursuant to Hodges v. S.C. Toof & Co., bifurcation of the main civil action issues (liability and damages) from the issues pertaining to punitive damages.

## ERIE INSURANCE COMPANY

By: /s/ S. Morris Hadden

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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **Erie Insurance Company's Motion to Bifurcate** has been filed via the Court's CM/ECF system, which provides notice to the office of counsel of record, on this the 13th day of October 2021, as follows:

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